

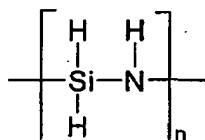
Attorney's Docket: 2003DE418  
Serial No.: 10/1554,190  
Filed: 10/21/2005  
Response to Office Action Mailed 8/06/2008

### REMARKS/ARGUMENTS

The Office Action mailed July 9, 2008 has been carefully considered together with each of the references cited therein. The amendments and remarks presented herein are believed to be fully responsive to the Office Action. Accordingly, reconsideration of the present Application in view of the following remarks is respectfully requested.

Applicant has amended the Specification to correct an obvious typographical error which was not earlier noticed. On page 6 in the second line of last paragraph, the word "first" was replaced with the word "second" to be consistent with the originally filed claim 6 and the second paragraph on page 4. It believed that no new matter was introduced by this amendment.

Applicant has amended the claims to more clearly recite what Applicant believes to be the invention. Claim 1 was amended to more clearly recite that the process comprises steps a-b, where step a) in a first step disposes on the surface a polysilazane solution which comprises a polysilazane of the formula 1



where n has been adjusted so that the polysilazane has a number-average molar mass of from 150 to 150 000 g/mol, and a solvent and a catalyst, and step b) in a second step disposes on the surface a primer comprising fluorosilanes or fluorosilane containing condensates. Support for the amendment to claim 1 may be found in Applicant's Specification on page 4, lines 6-11, and originally filed claim 1. Claims 4, 5 and 7 were amended to remove the term and mixtures thereof. In claim 4, the term "methoxytriethoxy" was deleted and the term "saturated or unsaturated, aliphatic or alicyclic carboxylic acids where R = C<sub>1</sub>-C<sub>22</sub>, and metal ions M with charge n" was amended to recite --wherein RCOO is a C<sub>1</sub>-C<sub>22</sub> saturated or C<sub>1</sub>-C<sub>22</sub>

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unsaturated or C<sub>1</sub>-C<sub>22</sub> aliphatic or C<sub>1</sub>-C<sub>22</sub> alicyclic carboxylic acid, and M is a metal ion with charge n--. In claim 5, the term "and" before the term "aliphatic" was deleted. In claim 6, the formula 1 was added to the claim. In claim 6, the formula 1 was added to the claim. Claim 7 was amended to provide antecedent basis for the term "said silane compound." Support for these amendments may be found in originally filed claims 1, and 4-7 and Applicant's Specification. It is believed that no new matter was added and no additional search is required on the part of the office.

Claims 1-5 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The rejection of claim 1 as amended, under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement for containing matter which was not described in the Specification should be withdrawn in light of Applicant's amendment which deleted the term "primer" and now recites that Applicant's process applies polysilazane first, followed by the fluorosilane. The rejection of claims 2-5 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement should be withdrawn for the reasons given in support of claim 1 from which claims 2-5 depend.

Claim 1 was rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement for not disclosing the molar mass of the polysilazane as being 150-150000 g/mol. The rejection of claim 1 as amended under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement for not disclosing the molar mass of the polysilazane as being 150-150000 g/mol should be withdrawn for the reason that this range is disclosed on page 4 at line 2 of Applicant's Specification.

Claims 1-8 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The rejection of claim 1 as amended under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement should be withdrawn in view of Applicant's amendment more clearly reciting what applicant believes to be the invention which deleted the terms "primer" and "cured" and more specifically recites the steps of Applicant's process, which are consistent with the steps recited in claim 6. The rejection of claims 2-8 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement

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should be withdrawn for the reasons given in support of claim 1 from which claims 2-8 depend.

Claims 1-8 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement for the recitation of the term "methoxytriethoxy" of silane. The rejection of claims 1-8 as amended under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement should be withdrawn in view of Applicant's amendment more clearly reciting what applicant believes to be the invention which deleted the term methoxytriethoxy.

Claims 1-8 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement for containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with it is most nearly connected, to make and use the invention. On page 6, line 25 refers to perfluoroalkyl as a first step in the claimed invention. Applicant has amended the Specification to correct this obvious typographical error. Therefore, the rejection of Claims 1-8 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement for containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with it is most nearly connected, to make and use the invention should be withdrawn.

Claims 1-8 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The rejection of claims 1, 4, 5, and 7 as amended should be withdrawn in view of Applicant's amendments which deleted term "primer" in claim 1, clarified the list of carboxylic acid moieties in claim 4, deleted the word "and" in claim 5, added formula 1 to claim 6, and in claim 7 provided antecedent basis for the term "said silane" and deleted the term "methoxytriethoxy." Therefore, the rejection of claims 1-8 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention in view of Applicant's amendments.

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It is respectfully submitted that, in view of the above remarks, the rejections under 35 U.S.C. § 112 should be withdrawn and that this application is in a condition for an allowance of all pending claims. Accordingly, favorable reconsideration and an allowance of all pending claims are courteously solicited. Commissioner is hereby authorized to charge any fee deficiency to Deposit Account No. 03-2060.

An early and favorable action is courteously solicited.

Respectfully submitted,



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